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5 *Attorneys for Defendants Nevada CVS*
Pharmacy, L.L.C.; Warm Springs Road
6 *CVS, L.L.C.; and CVS Pharmacy, Inc.*

7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 MARTINA LYNN JACCARINO, an
individual,

12 Plaintiff,

13 v.
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NEVADA CVS PHARMACY, LLC, a
15 Nevada limited liability company; WARM
SPRINGS ROAD CVS, L.L.C., a Nevada
16 limited liability company; CVS PHARMACY,
INC., a foreign corporation; DOES I through
17 X; and ROE ENTITIES I through X,

18 Defendants.
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Case No. 2:25-cv-343-GMN-DJA

STIPULATION AND ORDER TO AMEND
THE CAPTION AND TO DISMISS CVS
PHARMACY, INC., ONLY, WITHOUT
PREJUDICE

20 Plaintiff MARTINA LYNN JACCARINO, by and through her counsel of record DAVID
21 A. TANNER, ESQ. and JEFFREY C. GUNN, ESQ., of TANNER LAW FIRM and Defendants
22 NEVADA CVS PHARMACY, LLC, WARM SPRINGS ROAD CVS, L.L.C., and CVS
23 PHARMACY, INC., by and through its counsel of record MARJORIE E. KRATSAS, ESQ. of
24 WOOD, SMITH, HENNING & BERMAN LLP, hereby stipulate and agree as follows:

25 IT IS HEREBY STIPULATED that the Defendants represent that NEVADA CVS
26 PHARMACY, LLC and WARM SPRINGS ROAD CVS, LLC are the entities that owned,
27 operated, managed, and maintained the premise where this incident occurred.

28 IT IS FURTHER STIPULATED that Defendants represent that CVS PHARMACY, INC.

1 did not have any day-to-day involvement with the premise where the incident occurred, and its
2 inclusion in this case is not necessary or proper because that entity has no information about the
3 subject incident, nor does it have any involvement in this incident.

4 IT IS FURTHER STIPULATED that the Complaint and Caption be amended to remove
5 reference to CVS PHARMACY, INC. and that CVS PHARMACY, INC. will be dismissed from
6 this case, without prejudice.

7 IT IS FURTHER STIPULATED that should discovery reveal that CVS PHARMACY,
8 INC. had any involvement with the day-to-day operations of the premise where the incident
9 occurred, or that it had any involvement in this incident, that it can be brought back into this case.

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1 IT IS FURTHER STIPULATED that caption will read:

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3 MARTINA LYNN JACCARINO, an individual,

4 Plaintiff,

5 v.

6 NEVADA CVS PHARMACY, LLC, a Nevada limited liability company; WARM
7 SPRINGS ROAD CVS, L.L.C., a Nevada limited liability company; DOES I through
X; and ROE ENTITIES I through X,

8 Defendants.

9 IT IS SO STIPULATED.

10
11 DATED this 23rd day of May, 2025

12 **TANNER LAW FIRM**

13 /s/ Jeffrey C. Gunn, Esq.

14 David A. Tanner, Esq.
15 Nevada Bar No. 8282
16 Jeffrey C. Gunn, Esq.
17 Nevada Bar No. 15925
7895 W. Sunset Road, Suite 115
Las Vegas, NV 89113
P: 702-987-8888
Attorneys for Plaintiff

DATED this 29th day of May, 2025

WOOD, SMITH, HENNING & BERMAN LLP

/s/ Marjorie E. Kratsas, Esq.

Marjorie E. Kratsas
Nevada Bar No. 12934
2881 Business Park Court, Suite 200
Las Vegas, Nevada 89128-9020
Tel. 702.251.4100
*Attorneys for Defendants Nevada CVS Pharmacy,
L.L.C.; Warm Springs Road CVS, L.L.C.; and CVS
Pharmacy, Inc.*

ORDER


Pursuant to the foregoing stipulated protective order of counsel for all parties, good cause appearing therefore;

IT IS SO ORDERED;

IT IS HEREBY ORDERED that the Complaint and Caption be amended to remove reference to CVS PHARMACY, INC. and that CVS PHARMACY, INC. will be dismissed from this case, without prejudice.

IT IS FURTHER ORDERED that should discovery reveal that CVS PHARMACY, INC. had any involvement with the day-to-day operations of the premise where the incident occurred, or that it had any involvement in this incident, that it can be brought back into this case.

IT IS SO ORDERED.



Gloria M. Navarro
United States District Judge

Dated: May 29, 2025

Nancy A. Amaya

From: Nancy A. Amaya
Sent: Thursday, May 29, 2025 8:49 AM
To: Nancy A. Amaya
Subject: FW: 12713.0005- FW: Martina Lynn Jaccarino v Nevada CVS Pharmacy LLC, et al. - Case No. A-25-910535-C- SAO Protective Order / Discovery Plan / SAO to Dismiss / First Amended Complaint
Attachments: Jaccarino - Stipulated Protective Order Jeff Edits.docx

From: Jeff Gunn <Jeff@tannerlawfirm.com>
Sent: Friday, May 23, 2025 1:40 PM
To: Marjorie E. Kratsas <MKratsas@wshblaw.com>; David Tanner <david@tannerlawfirm.com>; Courtney McMenemy <Courtney@tannerlawfirm.com>
Cc: Jennilee Miller <Jen@tannerlawfirm.com>; martinajaccarinoz992199360@tannerlawfirm.filevineapp.com
Subject: [EXTERNAL] RE: Martina Lynn Jaccarino v Nevada CVS Pharmacy LLC, et al. - Case No. A-25-910535-C- SAO Protective Order / Discovery Plan / SAO to Dismiss / First Amended Complaint

Marjorie,

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Please let me know if you can see my edits to this doc. My edits are minor. First, I have removed the agreement that all qualified persons have to sign and agree to the SPO. We are agreeing to it and we will properly inform all Qualified Persons about the terms. Second, I have added language to allow all parties to keep and retain copies of any documents for their files, but that those documents may not be used in any other proceedings, thereby protecting their confidentiality.

As for the SAO to dismiss and amend the caption, you can e-sign for me.

As for the discovery plan, all the date years are incorrect. It appears that are one year off.

Cordially,

Jeffrey C. Gunn, Esq.

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From: Marjorie E. Kratsas <MKratsas@wshblaw.com>

Sent: Friday, May 23, 2025 1:21 PM

To: David Tanner <david@tannerlawfirm.com>; Courtney McMenemy <Courtney@tannerlawfirm.com>

Cc: Jennilee Miller <Jen@tannerlawfirm.com>; martinajaccarinoz992199360@tannerlawfirm.filevineapp.com; Jeff Gunn <Jeff@tannerlawfirm.com>

Subject: RE: Martina Lynn Jaccarino v Nevada CVS Pharmacy LLC, et al. - Case No. A-25-910535-C- SAO Protective Order / Discovery Plan / SAO to Dismiss / First Amended Complaint

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Hi David,

I noticed I used an outdated model for the last SAO for Protective Order that I provided. My apologies. This one has slight differences. Please review and revise in the WORD document. Please include comments as to your reasoning. Given the last round of revisions I suspect that this issue may go before our Magistrate so I think keeping the dispute clear will aid in the Magistrate's review of the matter.

I also reviewed the Court's Minute Order and created a separate SAO to Dismiss CVS, only, per the court's instruction. I kept the same language that was previously proposed by your office.

Also, have you filed the First Amended Complaint? I have not seen it and I want to set my deadline to respond off that date.

Finally, can I have a status on the Discovery Plan? I think your office was to plug in the dates.

Thanks!

Marjie

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